UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,709	09/22/2000	Philip William Gillis	2925-0431P	9953

30594	7590	04/13/2005

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EXAMINER
CHANG, SUNRAY

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/667,709	GILLIS, PHILIP WILLIAM
Office Action Summary	Examiner	Art Unit	
	Sunray Chang	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2005*.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in responsive to the paper (RCE) filed on March 28th, 2005.

2.   Claims 1 – 30 are presented for examination.

Claims 1 – 30 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign
country or in public use or on sale in this country, more than one year prior to the date of
application for patent in the United States.

3.   Claim 1 – 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Child et al.

(U.S. Patent No. 5,121,475, and referred to as Child hereinafter).

4.   **Regarding independent claims 1, 11 and 21,**

- A simulation process;

        Child teaches, an error log request which has been generated by a component of a

communication software system is analyzed and compared to entries in one of a plurality

of records in a message look-up table. [Col. 1, Line 55 ~ 58, and Abstract]

- Receiving a message [error log request] from a system [a component of a communication

software system];

Child teaches "**error log request** which has been generated by a **component of a communication software system**." [Col. 1, Line 55 – 56 and Fig. 6]

- Comparing [**compared**] the received message [**entries**] to information [**plurality of records**] stored in a response file [**message look-up table**] used to simulate system response [**analyzed**],

    Child teaches an error log request which has been generated by a component of a communication software system is **analyzed and compared** to **entries** in one of a **plurality of records** in a **message look-up table**. [Col. 1, Line 55 – 58, and Fig. 6]

- The response file [**message look-up table**] including at least one message [**one of a plurality of records**],

    Child teaches an error log request which has been generated by a component of a communication software system is analyzed and compared to entries in one of a **plurality of records** in a **message look-up table**. [Col. 1, Line 55 – 58, and Fig. 6]

- A message marker [**message number**] associated with each **message**,

    Child teaches if the message is to be displayed, the message handler retrieves the **message** identified by the **message number** from the operating system message file. [Col. 4, Line 52 – 55, and Col. 5, 46 – 55]

    Microsoft Computers Dictionary (1997, Microsoft Corparation, 3rd Edition), cited as an evidentiary reference, explains "a message can obtain one or more blocks of text as

well as beginning and ending characters" [Page 304, Col. 2, Lines 10 – 12]. Thus it is

considered that "end of response marker" has been included in Child's anticipation

according to Child cited "user message" in Abstract.

- At least one response associated with [**Type, Subtype**] each message, and an

    end-of-response marker [**Length**] associated with each response;

    Child teaches at least one response associated with each message [**Type,**

    Subtype, Fig. 3], and an end-of-response marker associated with each response [**Length,**

    Fig. 4, Fig. 5];

- Simulating [**analyzed and compared to**] a response to the system message [**an error log**

    request]

    Child teaches **an error log request** which has been generated by a component of

    a communication software system is **analyzed and compared to** [Col. 1, Line 55 – 57,

    and 62 – 64]

- By outputting [**displayed**] a response [**message**] stored in [**logged to**] association with a

    stored message [**error record**] matching [**comparison**] the received message [**error**

    record], upon the received message matching [**comparison**] a message stored in the

    response file [**entries in the message look-up table**],

    Child teaches the error log request handler then assembles an error record from

    the information contained in the control block and **stores the error record into** the **error**

log file. After the **error record** has been **assembled** and **logged**, the error log request

handler performs a **comparison** of the record with **entries in the message look-up table**

to determine if a message should be generated as a result of the error log request. [Col. 4,

Line 24 – 32, and Col. 5, Line 46 – 55]

> Child teaches the **message** to be **displayed**. [Col. 4, Line 52, and Col. 5, Line 59 –
> 63]

- Wherein upon at least two responses being stored in association with a message,

  > Child teaches wherein upon at least two responses [**DATA1 – 3, Fig. 3**] being
  > stored in association with a message [**MSG #, Fig. 3**],

- The at least two responses [**DATA 1 – 3**] are sequentially [**queue**] output [**log display request**] in response to sequential receipt [**queue**] of the message [**message/error log**].

  > Child teaches at least two responses [**DATA1 – 3, Fig. 3**]

  > Child teaches **Error log requests** and **message log/display requests**, which are
  > generated by the components of the communication software system, are placed into a
  > **message/error log queue**. [Col. 4, Line 17 – 21, and Col. 5, Line 57 – 63]

5.   Regarding dependent claims 2, 12 and 22,

> Child teaches the simulation process occurs within the system [Fig. 1].

6.   Regarding dependent claims 3, 13 and 23,

Child teaches the simulation process [**analysis**, Col. 1, Line 19] occurs within a

device [**component**, Col. 1, Line 18] separate from, but operatively [**services or**

functions, Col. 1, Line 20] connected to the system [**Communication Software System**,

Col. 1, Line 17].

7.   Regarding dependent claims 4, 14 and 24,

Child teaches the response file [**a look-up table** which is a part of an error request

handler, Col. 3, Line 40 ~ 41] includes at least one autonomous response [**forwards data**

to be inserted into a message to be generate and displayed to the user, Col. 3, Line 48 ~

50], the autonomous response is output a predetermined time [**frequently monitored**,

Col. 1, Line 42] after simulation begins, irrespective of a received message [**forwards**

data to be inserted into a message to be generate and displayed to the user, Col. 3, Line

48 ~ 50].

8.   Regarding dependent claims 5, 15 and 25,

Child teaches the response file [**a look-up table** which is a part of an error request

handler, Col. 3, Line 40 ~ 41] includes at least one autonomous response [**forwards data**

to be inserted into a message to be generate and displayed to the user, Col. 3, Line 48 ~

50], the autonomous response is periodically output [**frequently monitored**, Col. 1, Line

42] irrespective of a received message. [**forwards data** to be inserted into a message to

be generate and displayed to the user, Col. 3, Line 48 ~ 50].

9.   Regarding dependent claims 6, 16 and 26,

        Child teaches the response file [**message look-up table**, Line 4, Abstract]

includes at least two different messages [**Records**, Line 4, Abstract], each associated with

at least one response [**match between** the field of the **error log request** and **selected**

entries of a record in the look-up table, Line 4 – 6, Abstract].

10.   Regarding dependent claims 7, 17 and 27,

        Child teaches storing a record of a received message [**logging the error**

information, Col. 1, Line 26], wherein upon a message being received a second time

[**there are other records**, Col. 5, Line 48], either a second response stored [**logging the**

error information, Col. 1, Line 26] in association with the received message is **output**

[**display and/or logging of the message to the user**, Col. 5, Line 62], **or** the first

response is again **output** [**display and/or logging of the message to the user**, Col. 5,

Line 62] if no second response is stored in association with the received message

[determines whether the end of the message look-up table has been attained or if a match

has been found, Col. 5, Line 46 ~ 48].

11.   Regarding dependent claims 8, 18 and 28,

        Child teaches sequential responses stored in the response file [placed into a

message/error log **queue**, Col. 4, Line 20] in association with [**assembled and logged**,

Col. 4, Line 28] a common message [**error record**, Col. 4, Line 27] are sequentially

output [are placed into a message/error log **queue**, Col. 4, Line 20] upon successive

receipt [**are placed into**, Col. 4, Line 20] of the common message [**error record**, Col. 4,

Line 27].

12. Regarding dependent claims 9, 19 and 29,

Child teaches sequential responses stored in the response file [placed into a

message/error log **queue**, Col. 4, Line 20] in association with [**assembled and logged**,

Col. 4, Line 28] a common message [**error record**, Col. 4, Line 27] are sequentially

output [are placed into a message/error log **queue**, Col. 4, Line 20] upon successive

receipt [**are placed into**, Col. 4, Line 20] of the common message [**error record**, Col. 4,

Line 27].

13. Regarding dependent claims 10, 20 and 30,

Child teaches the response file [**error log file**, Col. 4, Line 27] is created using a

log file [**error log file**, Col. 4, Line 27] of the system.

Response to Amendment

Claim Rejections - 35 USC § 102

14. Regarding independent claims 1, 11, and 21, Applicants' argument regarding "Child is

directed to dynamic message generation, and not to a method of simulation based on stored

responses" [Page 8, line 8 – 10] is respectfully disagreed with. Child anticipates that <u>an error log</u>

<u>request which has been generated</u> [stored response] <u>by a component of a communication</u>

software system is analyzed and compared to [method of simulation] [Col. 1, Line 55 ~ 58] as

set forth in independent claim 1 of the current rejection.

Further, Child teaches, "the depth of the interaction between the user and the computer

system varies by the type of operating system and the application program", and also Fig. 6,

there are several different matches between messages and responses.

Applicants' argument further regarding "end of response marker" [Page 8, line 14] is

disagreed with. Microsoft Computers Dictionary (1997, Microsoft Corporation, 3rd Edition),

cited as an evidentiary reference, explains, "a message can obtain one or more blocks of text as

well as beginning and ending characters" [Page 304, Col. 2, Lines 10 – 12]. Thus it is considered

that "end of response marker" has been included in Child's anticipation according that Child

cited "user message" in Abstract.

Child anticipates that an error log request which has been generated by a component of a

communication software system is analyzed and compared to entries [stored message] in one of a

plurality of records in a message look-up table [response stored] [Col. 1, Line 55 ~ 58], as set

forth in independent claim 1 of the current rejection.

Applicants' argument further regarding "Child cannot disclose or suggest a response

stored in association with a stored messages" [Page 8, line 18 – 19] is disagreed with. Child

anticipates that an error log request which has been generated by a component of a

communication software system is analyzed and compared to entries [stored message] in one of a

plurality of records in a message look-up table [response stored] [Col. 1, Line 55 ~ 58], as set

forth in independent claim 1 of the current rejection.

15.   Since applicant has not provided a separate argument for dependent claims 2 – 10, 12 –

20, and 22 – 30, the response with respect to independent claims 1, 11, and 21 is considered
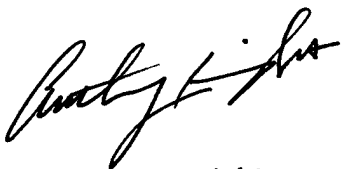
sufficient.

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sunray Chang whose telephone number is (571) 272-3682. The

examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-746-3506.

Anthony Knight
Supervisory Patent Examiner
Group 3600

Sunray Chang
Patent Examiner
Group Art Unit 2121
Technology Center 2100
U.S. Patent and Trademark Office

April 6, 2005